

### REMARKS

The Office Action of September 1, 2006, has been carefully reviewed, and in view of the above amendments and the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

In the above Office Action, claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Ando et al.* (U.S. Patent No. 5,370,6340) and claim 7 was objected to for various informalities.

As amended above, claim 1 recites that the absorbent article has a pants chassis and that the first and second opening and closing means are situated on respective sides of the first openable seal line and are arranged entirely on a surface of the pants chassis. More particularly, claim 1 recites that the first opening and closing means are arranged entirely on an inside surface of the underpants and the second opening and closing means being arranged entirely on an outside surface of the pants chassis such that a first opened edge of the openable seal line is overlapped with a second opened edge of the openable seal line when the openable seal line is resealed in the second resealable configuration. (Emphasis added.)

The primary reference, *Ando et al.*, discloses projecting tape fasteners 6 which, as the Examiner notes, are anchored to a surface of the pants chassis at a base thereof; however, the fasteners 6 also project therebeyond. As such, *Ando et al.* do not disclose first opening and closing means arranged entirely on an inside surface of the pants chassis, as recited in claim 1.

*Ando et al.* also disclose vertical split portions 13, each of which includes an extending flap 5E having a tape fastener 6 which is able to be fastened to an area 8. When the diaper of *Ando et al.* is to be put on, the split portions 13, 13 at both sides

of the waist body portions 7, 7 are pulled such that the extending portions 5E, 5E overlap the waist body portion 7 at the stomach side of the infant and the tape fasteners 6, 6 are fastened to areas 8, 8. As shown in Figures 1 and 2, the nonconnected and connected portion 5D, 5D defining the seal line are not overlapped when the tape fasteners 6 are fastened to areas 8. Accordingly, contrary to the invention of claim 1, Ando et al. do not disclose a first opened edge of the seal line which is overlapped with a second opened edge of the seal line when the seal line is resealed.

Applicant thus submits that Ando et al. do not anticipate the invention recited in claim 1.

Amended claim 7 and newly added claim 8 further define the arrangement of the fastening means. Applicant contends claims 7 and 8 are not anticipated by the cited prior art.

### **CONCLUSION**

In view of the above amendments and remarks, Applicant respectfully submits that the claims of the present application are now in condition for allowance, and an early indication of the same is earnestly solicited.


Should any questions arise in connection with this application or should the Examiner believe that a telephone conference would be helpful in resolving any remaining issues pertaining to this application; the Examiner is kindly invited to call the undersigned counsel for Applicant regarding the same.

Respectfully submitted,

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